

# **EXHIBIT A**

**Index of Defendants' Arguments and the Nation's Responses<sup>1</sup>****Key:**

- AB: Amneal's Opening Brief in Support of Motion to Dismiss Based on Improper Service, Improper Service of Process, and Lack of Personal Jurisdiction*
- DB: AmerisourceBergen, Cardinal, and McKesson's Opening Brief in Support of Motion to Dismiss*
- GB: Generic Manufacturers' Opening Brief in Support of Motion to Dismiss*
- MB: Manufacturer Defendants' Opening Brief in Support of Motion to Dismiss*
- PB: CareFirst, City Drug, Cityplex, Couch, CVS, Economy Pharmacy, Ernie's, Freeland, Gaddy, M&D, Omnicare, Pippenger, Reasor's, Rogers, Spoon, Walgreens, and Walmart's Opening Brief in Support of Motion to Dismiss*

Issues	Defendants' Arguments	Nation's Response
<b>Arguments Applicable to Multiple Counts</b>		
Article III Standing	PB § I (page 2)	§ I
Preemption	GB §§ I, III.C, III.D (pages 2-3, 7, 12-23) MB Introduction, § IV (pages 2, 42-48)	§ II
Causation, Including the Learned Intermediary Doctrine	DB § V (pages 21-23) GB §§ I, III.B, III.D (pages 4, 7, 10, 23) MB § I.A (pages 4-17) PB §§ II, IV (pages 3-7)	§ III
Injury, Including the Economic Loss Doctrine and the Derivative Injury Rule	GB § III.D (page 23) MB Introduction, §§ I.A.1, II.A, II.B (pages 2, 8, 19-25)	§ IV
Particularity & Group Pleading	DB § VII (pages 25-26) GB §§ I, II, III.B, III.D (pages 1-4, 7-12, 23) MB Introduction, § V.A (pages 3, 49-58) PB Introduction §§ II, III (pages 1-4)	§ V
Statute of Limitations	MB § V.B (pages 58-67)	§ VI
Improper Service of Process & Personal Jurisdiction	AB	§ VII

<sup>1</sup> The Nation and the respective Defendants have mooted CVS's Motion to Dismiss for Lack of Personal Jurisdiction and Walgreens' Motion to Dismiss for Lack of Personal Jurisdiction. *See* Unopposed Motion to Dismiss CVS Health Corporation, No. 1:18-op-45459-DAP (N.D. Ohio) ECF No. 81 (dismissing CVS Health Corporation without prejudice); Unopposed Motion to Dismiss Walgreens Boots Alliance, Inc., No. 1:18-op-45459-DAP (N.D. Ohio) ECF No. 82 (dismissing Walgreens Boots Alliance, Inc. without prejudice). The Nation therefore does not include those motion in this index.

Issues	Defendants' Arguments	Nation's Response
<b>Arguments Applicable to Specific Counts</b>		
Nuisance	DB § IV (pages 15-21) GB § III.D (page 23) MB Introduction, § III.A (pages 2, 34-38) PB § V.D (page 13)	§ VIII.A
Negligence and Negligence Per Se	DB § III (pages 9-15) GB § III.D (page 23) MB §§ I.B, II.F (pages 17-19, 31-33) PB § V.B (pages 8-11)	§ VIII.B
Unjust Enrichment	DB § VI (pages 23-25) GB § III.D (page 23) MB Introduction, § III.B (pages 2, 39-42) PB § V.F (page 14)	§ VIII.C
Civil Conspiracy	DB § VII (pages 25-26) MB § V.C (pages 67-68) PB § V.E (pages 13-14)	§ VIII.D
RICO	DB § I (pages 3-5) GB § III.D (page 22) MB §§ II.C, V.A.2 (pages 25-27, 55-57) PB § V.A (pages 7-8)	§ VIII.E
Lanham Act	DB § II (pages 5-9) MB § II.D (pages 28-29) PB § V.C (pages 11-12)	§ VIII.F